

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,  
Petitioner,

v.

BPH COMMISSIONERS,  
Respondent.

Case No. 19-05798 EJD (PR)

**ORDER OF DISMISSAL**

On September 17, 2019, Petitioner, a California prisoner, filed a document entitled “Notice of Appeal on 5-yr deferral period by Defs.’s BPH.” (Docket No. 1.) The Clerk construed the document as an attempt to file a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, the Clerk notified Petitioner that he needed to either pay the filing fee or file a complete application for leave to proceed in forma pauperis (“IFP”) within twenty-eight days from the date of the notice to avoid dismissal. (Docket No. 2.) The deadline has passed, and Petitioner has failed to respond. Accordingly, the action is **DISMISSED** without prejudice for failure to pay the filing fee.

**IT IS SO ORDERED.**

Dated: 10/25/2019



EDWARD J. DAVILA  
United States District Judge